## MEMORANDUM

TO:

Dora Anguiano, Planning Commission Coordinator

Planning and Development Review Department

FROM:

Eric J. Hammack, Property Agent Supervisor

Land Management Section
Office of Real Estate Services

DATE:

December 2, 2014

SUBJECT:

F#9243-1308; F#9244-1308; F# 9245-1308; F#9246-1308 Vacation of: a 6,722 square foot portion of East Avenue; a 5,052 square foot portion of East Avenue; a 3,347 square foot portion of East Avenue, and; a 4,617 square foot portion of East Avenue. Said portions of Right-of-Way collectively abutting 801 Lambie Street, 803 Lambie Sreet, 805 Lambie

Street, and 48 East Avenue.

Attached are the departmental comments and other information pertinent to the referenced right of way vacations. The areas being requested for vacation have been proposed for redevelopment, however at this time a Site Plan has not been submitted to the Planning Department for review. All affected departments and private utility franchise holders have reviewed this request and recommend approval, subject to retention of a Water & Wastewater easement, a Drainage Easement, a Utility Easement, and a Telecommunications Easement.

The applicant has requested that this item be submitted for placement on the **December 9<sup>th</sup>, 2014 Planning Commission Agenda** for their consideration.

Staff contact: Eric Hammack at 974-7079 or <a href="mailto:landmanagement@austintexas.gov">landmanagement@austintexas.gov</a>

Applicant: Ben Turner, of Consort Inc.

Property Owners: Benjamin B. Turner, Jr., Trustee; Wm. Terry Bray, Trustee; Allan L. Williams & Andrew J. Forsythe, and; 48 East Avenue Partnership.

Mr. Turner (Applicant) or his delegate will be present at the meeting to answer any questions regarding the project, if needed.

Eric J. Hammack, Property Agent Supervisor Land Management Section

OFFICE OF REAL ESTATE SERVICES

**Attachments** 

## DEPARTMENT COMMENTS FOR THE VACATION OF A PORTION OF EAST AVENUE AT THE SOUTHEAST CORNER OF

THE INTERSECTION OF LAMBIE STREET AND EAST AVENUE

RETAIN A UTILITY EASEMENT

ISTIN ENERGY

APPROVE

AUSTIN TRANSPORTATION DIRECTOR APPROVE

**AUSTIN WATER** 

RETAIN A WATER / WASTEWATER

EASEMENT

**CAPITAL METRO** 

**APPROVE** 

CTM - GAATN

APPROVE

**EMS** 

**APPROVE** 

FIRE

**APPROVE** 

GRANDE COMMUNICATIONS

**APPROVE** 

**PARD** 

**APPROVE** 

PLANNING & DEVELOPMENT REVIEW

(Land Use Review-Engineering)

RETAIN A DRAINAGE EASEMENT

PLANNING & DEVELOPMENT REVIEW

(Land Use Review-Transportation)

**RETAIN A PUE** 

PLANNING & DEVELOPMENT REVIEW

(Neighborhood Planning)

REFER TO PLANNING COMMISSION

PLANNING & DEVELOPMENT REVIEW

(Urban Design)

**APPROVE** 

PLANNING & DEVELOPMENT REVIEW

(Zoning Review)

APPROVE

**PUBLIC WORKS** 

**APPROVE** 

**TELECOM & REGULARTORY AFFAIRS** 

**APPROVE** 

TEXAS GAS SERVICES

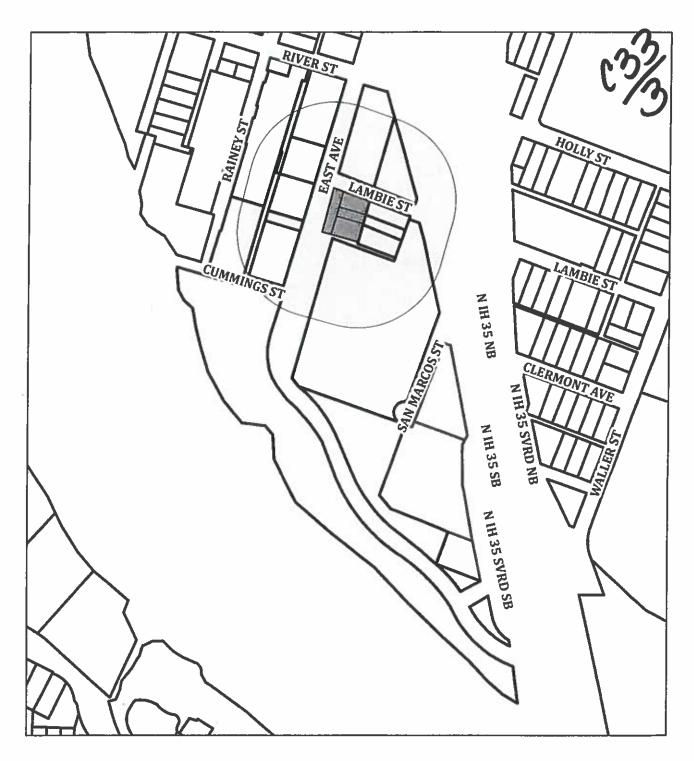
RETAIN AN UTILITY EASEMENT

TIME WARNER

**RETAIN A TELECOMMUNICATIONS** 

**EASEMENT** 

WATERSHED PROTECTION (Engineering) RETAIN A DRAINAGE EASEMENT



## Right-of-Way Vacation at East Avenue and Lambie Street



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Office of Real Estate Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Produced by CBoas, 11/3/2014

Ms. Jennifer Grant
City of Austin
Office of Real Estate Services
One Texas Center
505 Barton Springs Road, 4th Floor
Austin, Texas 78704

Consort

Landscape Architecture

Entitlements

Re:

805 Lambie Street

East Avenue ROW Vacation

Dear Ms. Grant:

On behalf of the owners, Benjamin B Turner, Jr., Trustee, we hereby respectfully request vacation of the portion of East Avenue right-of-way abutting 805 Lambie Street.

Lambie Street in the 800 block is a commercial property, adjacent to East Avenue. Both the subject property and the East Avenue right-of-way were originally created by the January, 1840 Austin Outlots plat (attached) and subsequently re-subdivided. East Avenue right-of-way has never been purchased by the City of Austin and the property and street have been previously developed.

Currently there are a number of utilities located within the area requested for vacation. We request all utility and transportation easement rights vacated within this area, save and except for the existing 72 inch stormwater pipe. An easement for this pipe will be reserved and granted. Utility services for the easements requested for release will no longer be needed by the owner; they need not be physically removed at this time.

The vacated area and the parent track are to be developed to the fullest extent possible, under its current zoning. No site plan has been submitted for review. The project is not part of a Unified Development Agreement, and is not a S.M.A.R.T. Housing Project.

The current zoning of the property and the general area is Central Business District (CBD). The property is bordered to the north by a vacant commercial lot, west by East Avenue, south and east by a fully developed commercial lot. No current parking facilities exist, though future development will require increased parking. This increase in parking will be addressed most likely with a parking structure.

No agreements or easements have been executed with adjacent landowners exist.

The area to be vacated lies within the Rainey District of the Downtown Austin Plan (DAP). Future development will meet DAP criteria.



Along with this letter, please find enclosed the following:

- Completed application form for right-of-way vacation
- Surveyor's sketch and metes and bounds of area to the vacated
- Surveyor's field notes of area to be vacated
- Copy of the current plat and original Austin Outlots Plat, both recorded
- Location Map
- Certified copy of owner's deed

Thank you for your time and consideration of this application. If you have any questions, concerns, or if I can provide any additional information, please call me.

Sincerely,

CONSORT, INC.

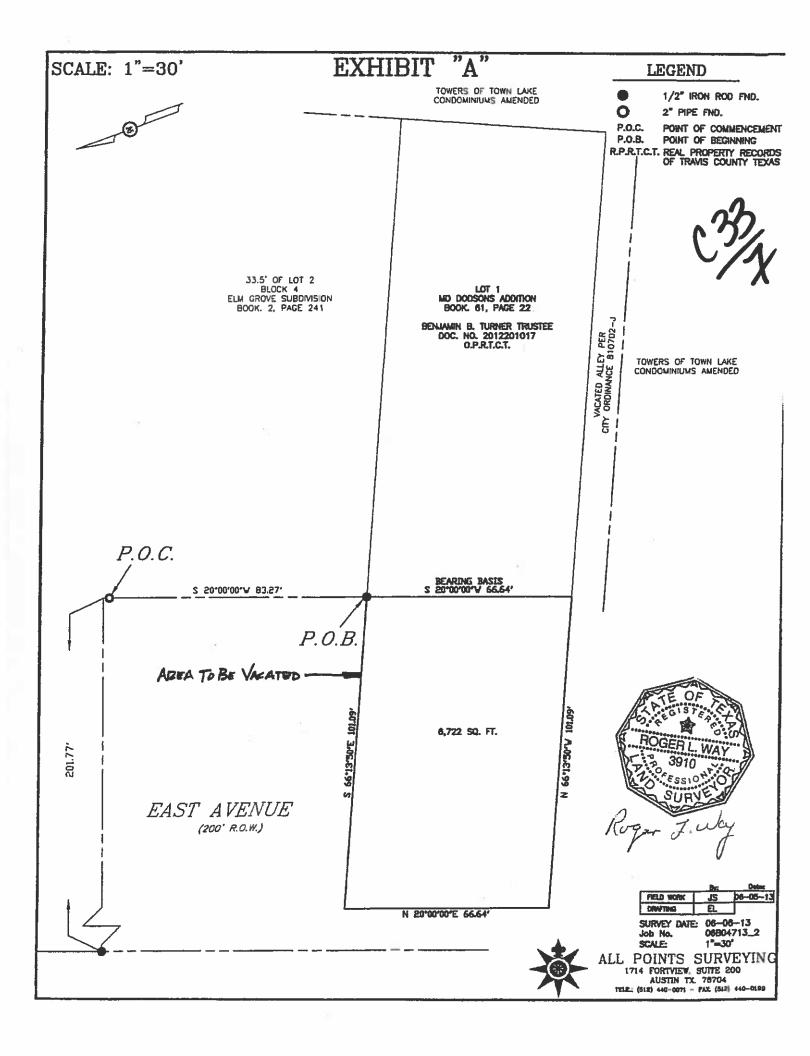
Anna Hoge, RLA LEED AI



File No. 9243-1308 Application for Street or Alley Vacation DATE: 8.23.13
Department Use Only  Department Use Only
TYPE OF VACATION
Type of Vacation: Street:; Alley:; ROW X Hundred Block: <100
Name of Street/Alley/ROW: East Avenue Is it constructed: Yes No
Property address: 805 Lambie Street Purpose of vacation:
Purpose of vacation:
PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED
Parcel #: 188027
Survey & Abstract No.:
Lot(s): 1 Block: 4 Outlot: 54-55 & 71, Div O Subdivision Name: W.D. Dodsons Addition
Plat Book 61 Page Number 22 Document Number
r age (valide)
Neighborhood Association Name: N/A
Address including zip code: 805 Lambie Street, Austin, TX 78701
RELATED CASES
FILE NUMBERS
Existing Site Plan (circle one): YES /NO
Subdivision: Case (circle one): YES (NO)  Zoning Case (circle one): YES (NO)  C14-04-0097
Zoning Case (circle one): YES/NO C14-04-0097
PROJECT NAME, if applicable:
Name of Development Project: N/A
Is this a S.M.A.R.T. Housing Project (circle one): YES /NO
Is this within the Downtown Austin Plan Boundaries (circle one): YES/NO
OWNER INFORMATION
Donismin D. Turner Tr. Thurston
Name: Benjamin B Turner, Jr., Trustee (as shown on Deed)
Address: 1646 E. Cesar Chavez Phone: (512) 469-0500 Fax No.: (512) 474-2809 City: Austin County: Travis State: TX Zip Code: 78702
City: Austri County: 114415 State: 24 Zip Code: 78702
Contact Person/Title: Ben Turner Cell Phone: ()
Email Address: bturner@consortinc.com
(If multiple owners are joining in this request - complete names, addresses on each, must be attached.)
H 240
APPLICANT INFORMATION
Name: Ben Turner
Firm Name: Consort, Inc.
Address: 1646 E. Cesar Chavez
City: Austin State: TX Zip Code: 78702
Office No.: (513 469 - 0500 Cell No.: () Fax No.: (513 784 - 4453
EMAIL ADDRESS: bturner@consortinc.com

The undersigned Landowner/Applicant understands: 1) The application will be handled in accordance with the Policies and Procedures. 2) No action will be taken without payment of the non-refundable application fee or necessary documentation. 3) The application and fee in no way obligates the City to vacate the subject area. 4) It is further understood that all documents related to this transaction and certified check for the "appraised value" puts the delivered terms of the City of Austin prior to placing the item on the Council Agenda for final approval.

Signed Fy: Landowner/Applica



Ms. Jennifer Grant
City of Austin
Office of Real Estate Services
One Texas Center
505 Barton Springs Road, 4th Floor
Austin, Texas 78704

63%

Planning

Engineering

Landscape Architecture

Entitlements

Re:

801 Lambie Street

East Avenue ROW Vacation

Dear Ms. Grant:

On behalf of the owner, Wm Terry Bray, Trustee, we hereby respectfully request vacation of the portion of East Avenue right-of-way abutting 801 Lambie Street.

Lambie Street in the 800 block is a commercial property, adjacent to East Avenue. Both the subject property and the East Avenue right-of-way were originally created by the January 1840 Austin Outlots plat (attached) and subsequently re-subdivided. East Avenue right-of-way has never been purchased by the City of Austin. The property and street have been previously developed.

Currently there are a number of utilities located within the area requested for vacation. We request all utility and transportation easement rights vacated within this area, save and except for the existing 72 inch stormwater pipe. An easement for this pipe will be reserved and granted. Utility services for the easements requested for release will no longer be needed by the owner; they need not be physically removed at this time.

The vacated area and the parent track are to be developed to the fullest extent possible, under its current zoning. No site plan has been submitted for review. The project is not part of a Unified Development Agreement, and is not a S.M.A.R.T. Housing Project.

The current zoning of the property and the general area is Central Business District (CBD). The property is bordered to the north by Lambie Street, west by East Avenue, south by a vacant commercial lot and east by a portion of a fully developed commercial lot. No current parking facilities exist, though future development will require increased parking. This increase in parking will be addressed most likely with a parking structure.

No agreements or easements have been executed with adjacent landowners.

The area to be vacated lies within the Rainey District of the Downtown Austin Plan (DAP). Future development will meet DAP criteria.



(3)

Along with this letter, please find enclosed the following:

- Completed application form for right-of-way vacation
- Surveyor's sketch and metes and bounds of area to the vacated
- Surveyor's field notes of area to be vacated
- Copy of the current plat and original Austin Outlots Plat, both recorded
- Location Map
- Certified copy of owner's deed

Thank you for your time and consideration of this application. If you have any questions, concerns, or if I can provide any additional information, please call me.

Sincerely,

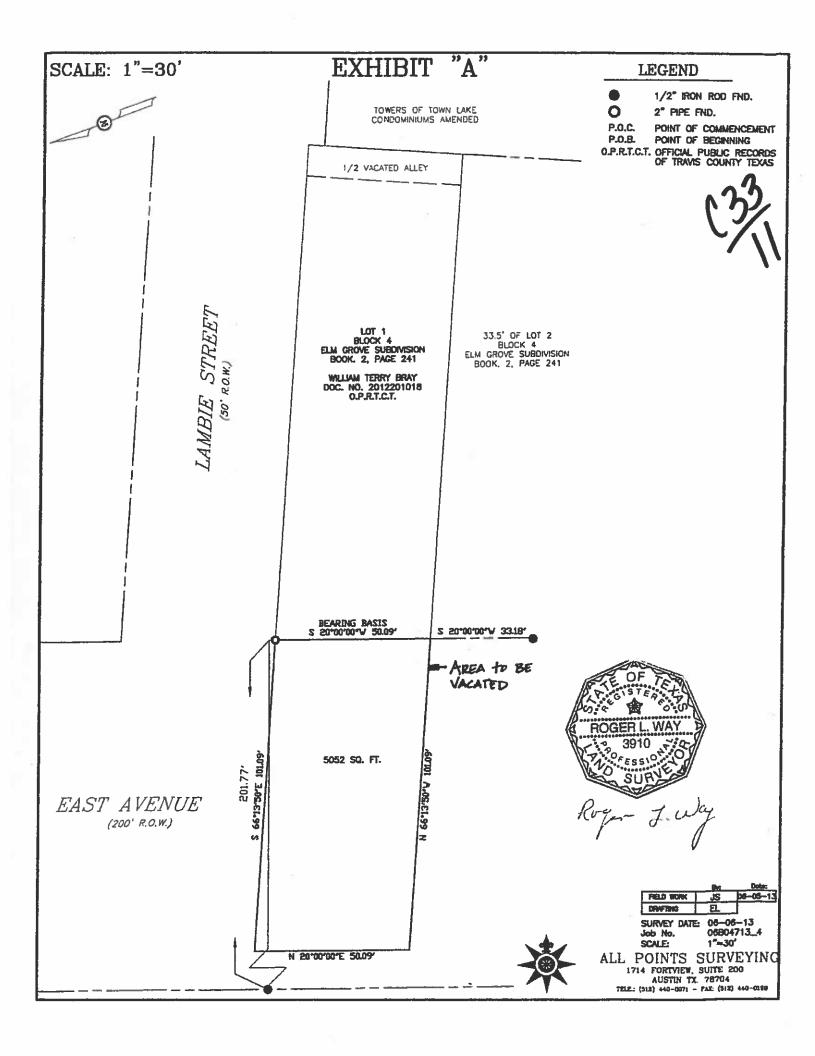
CONSORT, INC

Anna Hoge, RLA LEED AF

File No. 9244-1308 Application for Street or Alley Vacation 8-26-13  Department Use Only  Department Use Only
TYPE OF VACATION
Type of Vacation: Street: ; Alley: ; ROW X Hundred Block: <100  Name of Street/Alley/ROW: East Avenue Is it constructed: Yes No  Property address: 801 Lambie Street  Purpose of vacation:
PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED
Parcel #: 188029 Survey & Abstract No.: Lot(s): 1 Block: 4 Outlot: 54-55 & 71, Div 0, plus 1/2 adj. vacated alley Subdivision Name: Elm Grove Addition
Subdivision Name: EIM Grove Addition Plat Book 2 Page Number 241 Document Number
Neighborhood Association Name: N/A Address including zip code: 801 Lambie Street, Austin, TX 78701
RELATED CASES
Existing Site Plan (circle one): YES /NO Subdivision: Case (circle one): YES /NO Zoning Case (circle one): YES /NO C14-04-0097
PROJECT NAME, if applicable:
Name of Development Project:  Is this a S.M.A.R.T. Housing Project (circle one): YES / NO  Is this within the Downtown Austin Plan Boundaries (circle one): YES / NO
OWNER INFORMATION
Name: Wm. Terry Bray, Trustee (as shown on Decd) Address: 1646 E. Cesar Chavez Phone: (512 469-0500 Fax No.: 612 474-2809 City: Austin County: Travis State: TX Zip Code: 78702
Contact Person/Title: Ben Turner Cell Phone: () Email Address: bturner@consortinc.com (If multiple owners are joining in this request - complete names, addresses on each, must be attached.)
APPLICANT INFORMATION
Name: Ben Turner Firm Name: Consort, Inc. Address: 1646 E. Cesar Chavez City: Austin State: TX Zip Code: 78702
Office No.: (513 469-0500 Cell No.: (_) Fex No.: (513 784-4453
EMAIL ADDRESS: bturner@consortinc.com

The undersigned Landownet/Applicant understands: 1) The application will be handled in accordance with the Policies and Procedures, 2) No action will be taken without payment of the non-refundable application fee or necessary documentation. 3) The application and fee in no vay obligates the City to vacate the subject area. 4) It is further understood that all documents related to this transaction and certified check for the "applicated value" must be delivered to the City of Austin grior to placing the item on the Council Agenda for final approval.

Signed By: VV \ \ Landowner/Applicate



Ms. Jennifer Grant
City of Austin
Office of Real Estate Services
One Texas Center
505 Barton Springs Road, 4th Floor
Austin, Texas 78704



Re:

803 Lambie Street

East Avenue ROW Vacation

Dear Ms. Grant:

On behalf of the owners, Allan L. Williams and Andrew J. Forsythe, we hereby respectfully request vacation of the portion of East Avenue right-of-way abutting 803 Lambie Street.

Lambie Street in the 800 block is a commercial property, adjacent to East Avenue. Both the subject property and the East Avenue right-of-way were originally created by the January 1840 Austin Outlots plat (attached) and subsequently re-subdivided. East Avenue right-of-way has never been purchased by the City of Austin. The property and street have been previously developed.

Currently there are a number of utilities located within the area requested for vacation. We request all utility and transportation easement rights vacated within this area, save and except for the existing 72 inch stormwater pipe. An easement for this pipe will be reserved and granted. Utility services for the easements requested for release will no longer be needed by the owner; they need not be physically removed at this time.

The vacated area and the parent tract are to be developed to the fullest extent possible, under its current zoning. No site plan has been submitted for review. The project is not part of a Unified Development Agreement, and is not a S.M.A.R.T. Housing Project.

The current zoning of the property and the general area is Central Business District (CBD). The property is bordered to the north by a vacant commercial lot, west by East Ave, south by a vacant commercial lot and east by a portion of a fully developed commercial lot. No current parking facilities exist, though future development will require increased parking. This increase in parking will be addressed most likely with a parking structure.

No agreements or easements have been executed with adjacent landowners.

The area to be vacated lies within the Rainey District of the Downtown Austin Plan (DAP). Future development will meet DAP criteria.

Ms. Jennifer Grant Page 2 Consort

Along with this letter, please find enclosed the following:

- Completed application form for right-of-way vacation
- Surveyor's sketch and metes and bounds of area to the vacated
- Surveyor's field notes of area to be vacated
- Copy of the current plat and original Austin Outlots Plat, both recorded
- Location Map
- Certified copy of owner's deed

Thank you for your time and consideration of this application. If you have any questions, concerns, or if I can provide any additional information, please call me.

Sincerely,

CONSORT, INC.

Anna Hoge, RLA LEED AF

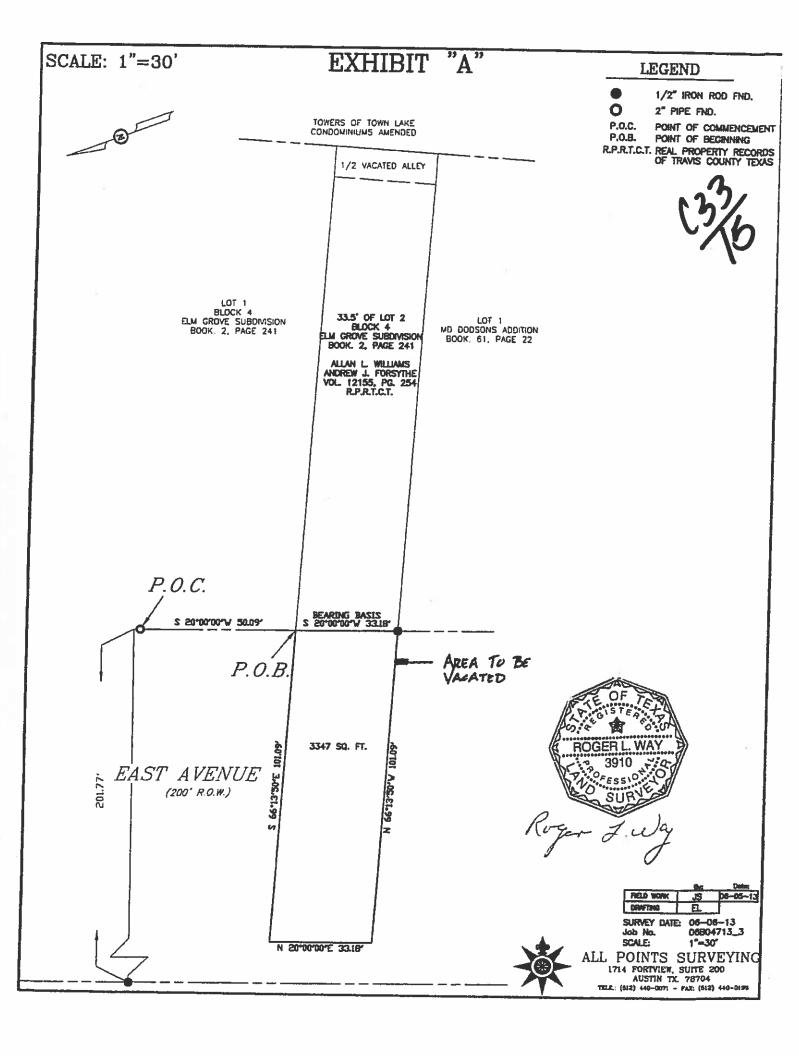


File No. 9245 - 1308 Application for Street or Alley Vacation 8-26-13	6
Department Use Only  Department Use Only	
TYPE OF VACATION	
Type of Vacation: Street:; Alley:; ROW X Hundred Block: <100  Name of Street/Alley/ROW: East Avenue Is it constructed: Yes No  Property address: 803 Lambie Street  Purpose of vacation:	
PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED	
Parcel #: 188028 Survey & Abstract No.:	
Lot(s): 33.5 ft Lot 2 Block: 4 Outlot: 54-55 & 71, Div 0, plus 1/2 add. vacated &13 Subdivision Name: Elm Grove Addition	ey
Plat Book 2 Page Number 241 Document Number	
Neighborhood Association Name: N/A Address including zip code: 803 Lambie Street, Austin, TX 78701	
RELATED CASES	
Existing Site Plan (circle one): YES /NO Subdivision: Case (circle one): YES /NO	
Zoning Case (circle one): YES/NO C14-04-0097	
PROJECT NAME, if applicable:	
Name of Development Project: N/A  Is this a S.M.A.R.T. Housing Project (circle one): YES /NO  Is this within the Downtown Austin Plan Boundaries (circle one): YES / NO	
OWNER INFORMATION	
Name: Allan L. Williams and Andrew J. Forsythe (as shown on Deed)  Address: 1646 E. Cesar Chavez Phone: (512) 469-0500 Fax No.: (512) 474-2809  City: Austin County: Travis State: TX Zip Code: 78702	
Contact Person/Title: Ben Turner Cell Phone: () Email Address: bturner@consortinc.com (If multiple owners are joining in this request—complete names, addresses on each, must be attached.)	
APPLICANT INFORMATION	
Name: Ben Turner	
Firm Name: Consort, Inc. Address: 1646 E. Cesar Chavez	
Office No.: (512 469-0500 Cell No.: ( ) Fax No.: (513 784-4453	
EMAIL ADDRESS: bturner@consortinc.com	

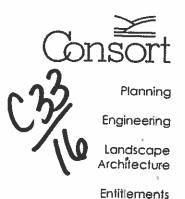
The undersigned Landowner/Applicant appearands: 1) The application will be handled in accordance with the Policies and Procedures. 2) No action will be taken without payment of the non-refundable application fee or necessary documentation. 3) The application and fee in no way obligates the City to vuente the subject area. 4) It is further understood that all documents related to this transaction and certified check for the "appraised value" must be delivered to the City of Austin prior to placing the item on the Council Agenda for final approval.

Signed By:

Landowner/Applicant



Ms. Jennifer Grant City of Austin Office of Real Estate Services One Texas Center 505 Barton Springs Road, 4<sup>th</sup> Floor Austin, Texas 78704



Re:

48 East Avenue

East Avenue ROW Vacation

Dear Ms. Grant:

On behalf of the owners, 48 East Avenue Partnership, we hereby respectfully request vacation of the portion of East Avenue right-of-way abutting 48 East Avenue.

East Avenue in this block is comprised of commercial properties. Both the subject property and the East Avenue right-of-way were originally created by the January 1840 Austin Outlots plat (attached) and subsequently re-subdivided. East Avenue right-of-way has never been purchased by the City of Austin. The property and street have been previously developed.

Currently there are a number of utilities located within the area requested for vacation. We request all utility and transportation easement rights vacated within this area, save and except for the existing 72 inch stormwater pipe. An easement for this pipe will be reserved and granted. Utility services for the easements requested for release will no longer be needed by the owner; they need not be physically removed at this time.

The vacated area and the parent track are to be developed to the fullest extent possible, under its current zoning. No site plan has been submitted for review. The project is not part of a Unified Development Agreement, and is not a S.M.A.R.T. Housing Project.

The current zoning of the property and the general area is Central Business District (CBD). The property is bordered to the north, west, and south by fully developed commercial properties and to the east by East Avenue. No current parking facilities exist, though future development will require increased parking. This increase in parking will be addressed most likely with a parking structure.

No agreements or easements have been executed with adjacent landowners exist.

The area to be vacated lies within the Rainey District of the Downtown Austin Plan (DAP). Future development will meet DAP criteria.

Ms. Jennifer Grant Page 2 Consort

Along with this letter, please find enclosed the following:

- Completed application form for right-of-way vacation
- Surveyor's sketch and metes and bounds of area to the vacated
- Surveyor's field notes of area to be vacated
- Copy of the current plat and original Austin Outlots Plat, both recorded
- Location Map
- Certified copy of owner's deed

Thank you for your time and consideration of this application. If you have any questions, concerns, or if I can provide any additional information, please call me.

Sincerely,

CONSORT, INC.

Anna Hoge, RLA LEED AP



File No. 4246 - 1308 Application for Street or Alley Vacation DATE: 8 - 28 - 13  Department Use Only  Department Use Only
TYPE OF VACATION  Type of Vacation: Street:; Alley:; ROW X Hundred Block: <100  Name of Street/Alley/ROW: East Avenue Is it constructed: Yes No  Property address: 48 East Avenue  Purpose of vacation:
PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED  Parcel #: 190879 Survey & Abstract No.: Lot(s): 22 Block: A Outlot: Subdivision Name: ZOPPP Addition Plat Book 65 Page Number 56 Document Number  Neighborhood Association Name: N/A
Address including zip code: 48 East Avenue, Austin, TX 78701  RELATED CASES
Existing Site Plan (circle one): YES /NO Subdivision: Case (circle one): YES /NO Zoning Case (circle one): YES / NO C14-04-0082
PROJECT NAME, if applicable:
Name of Development Project: N/A  Is this a S.M.A.R.T. Housing Project (circle one): YES / NO  Is this within the Downtown Austin Plan Boundaries (circle one): YES / NO
OWNER INFORMATION
Name: 48 East Avenue Partnership (as shown on Deed)  Address: 1646 E. Cesar Chavez Phone: (512) 469-0500 Fax No.: (512) 474-2809  City: Austin County: Travis State: TX Zip Code: 78702
Contact Person/Title: Ben Turner Cell Phone: () Email Address: bturner@consortinc.com (If multiple owners are joining in this request - complete names, addresses on each, must be attached.)
APPLICANT INFORMATION
Name: Ben Turner  Firm Name: Consort, Inc.  Address: 1646 E. Cesar Chavez  City: Austin State: TX Zip Code: 78702
Office No.: (513 469-0500 Cell No.: (_) Fax No.: (513 784-4453
EMAIL ADDRESS: bturner@consortinc.com

The undersigned Landowner/Applicant understands: 1) The application will be handled in accordance with the Policies and Procedures. 2) No action will be taken without payment of the non-refundable application fee or necessary documentation. 3) The application and fee in no way obligates the City to vacate the subject area. 4) It is further understood that all documents related to this transaction and certified check for the "appraised value" must be delivered to the City of Austin prior to placing the item on the Council Agenda for final approval.

Signed By: MANUAL Landowsel Applicate

